

Appl. No. 10/080,822
Amdt. Dated April 27, 2005
Reply to Office Action of March 8, 2005

Docket No. IRI05465
Customer No.. 23330

REMARKS

Claims 1, 8, 10, 16, 18, 20 and 21 have been amended. Claims 9, 19 and 23-29 are cancelled. Claims 1-8, 10-18 and 20-22 remain in the application. The actions taken are in the interest of expediting prosecution and with no intention of surrendering any range of equivalents to which Applicants would otherwise be entitled in view of the prior art. Moreover, the amendment or cancellation of claims herein is without prejudice to pursuing claims of different scope by way of continuing Application. Reconsideration of this application is respectfully requested.

U.S.C. § 101

Claims 23-24 are rejected under 35 U.S.C. § 101 because the claimed invention is directed to non-statutory subject matter. Claims 23-24 have been cancelled rendering this rejection moot.

U.S.C. 102(b)

Claims 1-12 are rejected under U.S.C. §102(b) as being anticipated Mitzenmacher et al. (U.S. Patent No. 5,953,503, hereinafter Mitzenmacher). Applicants respectfully traverse the rejection. Applicant's independent claim 1 calls for, among other things, generating a compressed message related to the template message, wherein generating comprises: providing a service request message identifier within the compressed message; providing a template on/off flag within the compressed message; and providing a template index within the compressed message, wherein generating the compressed message references the message template at the far end communication system without using the message template to generate the compressed message. Support for the additional language can be found in cancelled claims 9 and 19, and on page 4 lines 14-20 of the specification. As the message template is located at the server/far end communication system, the compressed message is not generated using the message template, but merely refers to the message template.

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Mitzenmacher teaches a method of compressing web pages through the use of a preset dictionary to both compress and decompress a web page (abstract, column 2 lines 19-30). When a user requests a web page, Mitzenmacher teaches the use of a preset dictionary (located at both the client and server units), to compress and decompress a message requesting the web page (column 2 lines 58-65). Further, the preset dictionary is used to initialize the encoding and decoding process for messages requesting web pages between a client and server (column 3 lines 21-33). The Examiner equates the preset dictionary of Mitzenmacher to the message template of Applicant's recited claims. But is clear that the template of Applicant's recited claims is very different from the preset dictionary of Mitzenmacher, as the preset dictionary must be used to compress and decompress a message. This is contrasted with Applicant's recited limitations where a template is merely referenced by a compressed message, with the template being at the receiving end (server/far end communication system). Further, Applicant's compressed message does not rely on the message template during the generation step.

In addition, Mitzenmacher does not teach or suggest the claimed limitations of a service request message identifier, a template on/off flag or a template index within the compressed message. In sum, it is clear that Mitzenmacher does not teach or suggest generating a compressed message related to the template message, wherein generating comprises: providing a service request message identifier within the compressed message; providing a template on/off flag within the compressed message; and providing a template index within the compressed message, wherein generating the compressed message references the message template at the far end communication system without using the message template to generate the compressed message. Since Mitzenmacher does not teach all of the claimed limitation of Applicant's independent claim 1, Mitzenmacher does not anticipate independent claim 1. Therefore, it is respectfully requested that the rejection be withdrawn and the claims proceed to allowance.

Claims 2-8 and 10-12 depend, either directly or indirectly, on claim 1 and are allowable for the same reasons as claim 1.

U.S.C. 103

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Claims 13-22 and 25-29 are rejected under U.S.C. §103 as being unpatentable over Mitzenmacher in view of Lee et al. (U.S. Patent No. 6,807,173, hereinafter Lee).

It is incumbent upon the Examiner to prove a *prima facie* case of obviousness (MPEP 2142). To establish a *prima facie* case three basic criteria must be met. First, the prior art reference must teach or suggest all the claim limitations. Second, there must be a reasonable expectation of success. Finally, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference.

Applicants respectfully traverses the rejection. As demonstrated above, Mitzenmacher does not teach or suggest generating a compressed message related to the template message, wherein generating comprises: providing a service request message identifier within the compressed message; providing a template on/off flag within the compressed message; and providing a template index within the compressed message, wherein generating the compressed message references the message template at the far end communication system without using the message template to generate the compressed message.

Lee teaches compressing an SIP header using tokenization and a standard compression algorithm such as LZ77 (abstract). The teachings of Lee do not make up for the deficiencies in Mitzenmacher. . Since neither Mitzenmacher nor Lee teach all of the claimed limitations of Applicant's independent claims 1 and 16, Mitzenmacher and Lee, alone or in combination, do not make obvious independent claims 1 and 16. Therefore, it is respectfully requested that the rejection be withdrawn and the claims proceed to allowance.

Claims 2-8 and 10-12 depend, either directly or indirectly, on claim 1 and are allowable for the same reasons as claim 1.

Claims 17-18 and 20-22 depend, either directly or indirectly, on claim 16 and are allowable for the same reasons as claim 16.

Prior Art

The references cited but not relied upon are believed not to anticipate or make obvious Applicants' invention.

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Summary

No amendment made was related to the statutory requirements of patentability unless expressly stated herein. No amendment made was for the purpose of narrowing the scope of any claim, unless Applicant has argued herein that such amendment was made to distinguish over a particular reference or combination of references.

The Applicants believe that the subject application, as amended, is in condition for allowance. Such action is earnestly solicited by the Applicants.

In the event that the Examiner deems the present application non-allowable, it is requested that the Examiner telephone the Applicant's attorney or agent at the number indicated below so that the prosecution of the present case may be advanced by the clarification of any continuing rejection.

Accordingly, this application is believed to be in proper form for allowance and an early notice of allowance is respectfully requested.

Please charge any fees associated herewith, including extension of time fees, to 502117.

Respectfully submitted,

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